CLASSIFICATION OFFICE DECISION

Title of publication:	_AM_3581.JPG
Other known title(s):	Not stated
OFLC ref:	1200304.002
Medium:	Computer Image File Printout
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Comptroller of Customs
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	17 May 2012
Date of direction to issue a label:	No direction to issue a label has been issued

Summary of reasons for decision:

The publication is a photograph of a naked young teenage boy asleep on a bed. It is composed to focus on the youth's sexual characteristics.The photographer appears to have taken advantage of the sleeping youth to exploit his nudity for salacious reasons. The publication therefore exploits the nudity of a young person to such a high degree and in such a manner that its availability is likely to be injurious to the public good.

The classification interferes with the freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990. However, the decision is reasonable, justified and in accordance with the law. This outcome is consistent with Parliament's intention that reflects the concern of "a free and democratic society" to ban publications that exploit vulnerable young persons.